

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant : MIESCHER et al.  
Serial No. : 10/542,692  
Confirm. No. : 1914  
Filed : July 19, 2005  
For : DEVICE AND PROCESS...  
Art Unit : 2854  
Examiner : MARISSA LIANA FERGUSON SAMRETH  
Dated : February 19, 2008

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**PETITION UNDER 37 CFR 1.136 (a)**

Sir:

The Office Action dated October 17, 2007 provided for a shortened statutory period for response of three months.

The shortened statutory period expired January 17, 2008.

Since the attached response is being filed within the first month pursuant to 37 CFR 1.136(a) Applicant respectfully requests the Examiner to charge the appropriate petition fee of \$120.00 (fee code 1251).

Respectfully submitted  
for Applicant(s),



By: \_\_\_\_\_  
John James McGlew  
Reg. No.: 31,903  
For: MCGLEW AND TUTTLE, P.C.

JJM:tf

DATED: February 19, 2008  
SCARBOROUGH STATION  
SCARBOROUGH, NEW YORK 10510-9227  
(914) 941-5600

SHOULD ANY OTHER FEE BE REQUIRED, THE PATENT AND  
TRADEMARK OFFICE IS HEREBY REQUESTED TO CHARGE SUCH FEE TO  
OUR DEPOSIT ACCOUNT 13-0410.